



Commonwealth
of Massachusetts

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Office of Campaign and Political Finance

One Ashburton Place, Room 411

Boston, MA 02108

Advisory Opinion

August 3, 2005

AO-05-11

Jarrett T. Barrios
State Senator
State House – Room 309
Boston, MA 02133

Re: Information Packets for Senior Socials

Dear Senator Barrios:

This letter is in response to your July 14, 2005, request for an opinion regarding the reproduction of an Information Packet for Seniors to be distributed at senior socials.

It is my understanding that you have produced an informational packet for senior socials. You have stated that you are running for Middlesex District Attorney and, in addition to distributing the packet within your district, you want to distribute the packet to voters outside of your legislative district. The packet contains information on the new Medicare Part D prescription drug program, identity theft, the circuit breaker program for homeowners and the MBTA discounts for seniors using public transportation.

QUESTION

May campaign funds be used to reproduce the Information Packet for Seniors to be distributed at senior socials outside your senate district?

ANSWER

Yes. Such an expenditure by the Committee appears to be consistent with the campaign finance law and regulations.

DISCUSSION

M.G.L. c. 55, § 6 authorizes a candidate committee to make any expenditure that enhances the candidate's political future, as long as the expenditure is not primarily for the candidate's or anyone else's personal use. Therefore, you can make this expenditure even though the distribution is out of

your district. OCPF's regulations list expenditures that are consistent with Section 6. *See* 970 CMR 2.06.

The regulations do not specifically address the distribution of public service information, but they do state that "expenditures which are similar to [those listed] and not inconsistent with the statute are allowed." *See* 970 CMR 2.06(3). Expenditures to distribute such information would be similar to expenditures to distribute campaign literature or for constituent services, which are allowed by the regulations, and clearly would be consistent with enhancing your political future. Therefore, they would be consistent with campaign finance law.

This opinion is provided on the basis of representations in your letter and is solely within the context of the campaign finance law.

Please do not hesitate to contact this office should you have additional questions about this or any other campaign finance matter.

Sincerely,

A handwritten signature in cursive script that reads "Michael J. Sullivan". The signature is written in dark ink and is positioned to the left of a vertical line.

Michael J. Sullivan
Director

MJS/sh